Notice of Allowability	Application No.	Applicant(s)	
	10/661,799	PIPENBURG, CHARLES G.	
	Examiner	Art Unit	
	Charles E. Phillips	3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.

2. ☒ The allowed claim(s) is/are *1-4 and 6*.

3. ☒ The drawings filed on *12 September 2003* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows by the authority given by applicant in his statement under M.P.E.P. 707.07(j): claims 1 and 6 have been rewritten as follows and claim 5 has been canceled.

1) A water saving dual flush system of valving for gravity flow toilet water closets having in combination a flush actuation assembly, an overflow pipe and dischrge outlet therein, said system of valving comprising:

(a) a bottom valve having in combination, radially extended arms configured to mate pivotally to said overfow pipe, a disk portion disposed over said discharge outlet, and a port through said disk portion of said bottom valve,

(b) a tubular means of conveyance incoporated within said port in a water tight manner,

(c) a means of floatation configured about said tubular means of conveyance,

(d) an upper valve seat sleeve disposed about the upper end of said tubular means of conveyance, an upper valve hingedly attached to said upper valve seat sleeve in a mnnner consistent with operably allowing said upper valve to rotate between open and closed positions with respect to said tubular means of conveyance and,

(e) means for operably connecting said flush actuation assembly with said upper valve, including a flotation device, thereby allowing said means of flush actuation to

operate said upper valve and said bottom valve, thereby allowing selective water saving flush volume by virtue of the two valves.

6) A water saving dual flush system of valving for a water-closet having in combination a flush actuation system and a overfow pipe with a drain outlet therein, the system of valving comprising:

(a) a bottom valve comprising radially extended arms including means for pivotal attachment to said ovedlow pipe thereby establishing said bottom valve over said drain outlet and said bottom valve also having in combination an upper surface and a bottom surface in addition to having a port extending through the upper and bottom surfaces,

(b) a pipe, having at least an upper end and a bottom end, is fitted within said port and mated thereto thereby establishing a conduit for flow of fluid though said pipe,

(c) a floatation collar mounted about said pipe whereby said pipe in combination with said bottom valve may be suspended within the water-closet temporarily by the buoyancy of said collar,

(d) a valve seat sleeve having at least an upper valve seat and an attachment arm for hinged connection is mounted about the upper end of said pipe,

(e) an upper valve having in combination upper and bottom surfaces and mating connective hinging structure enabling said upper valve to be established operably about the upper end of said valve seat sleeve, and,

(f) a operable connection between said flush actuation system and said upper valve and said bottom valve, including a floatation device, whereby said upper valve

and said bottom valve may be selectively operated whereby the system of valving may operatively regulate predetermined quantities of water flow through said discharge outlet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Phillips whose telephone number is 703-308-1515. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cep

Charles E. Phillips
Primary Examiner